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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,061	08/12/2002	Eduardo Casais	878.0003.U1(US)	8518
29683 7590 09/26/2008 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212				
EXAMINER				
KARIKARI, KWASI				
ART UNIT		PAPER NUMBER		
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MAIL DATE		DELIVERY MODE		
09/26/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This Advisory Action is in response to the Amendment After-Final filed on 09/08/2008. Claims 1,2,6-8,11,14,20-23 and 25-45 are currently pending in the application.

a. In the remarks, the Applicant argues that the finality of the Final Office Action of 07/17/2008 is improper; and requests that the finality of the Final Office Action should be withdrawn.

As stated in the Final Office Action of 07/17/2008, "an Office action following a reopening of prosecution may be made final if all new grounds of rejection were either (A) necessitated by amendment or (B) based on information presented in an information disclosure statement under 37 CFR1.97(c) where no statement under 37 CFR 1.97(e) was filed". See MPEP § 706.07(a).

In this particular instance, the finality of the Office Action was necessitated by Applicant's claims amendment made on 05/29/2007 which raised new grounds of rejection. Therefore, the Examiner is maintaining the finality of the Final Office Action of 07/17/2008.

b. In the remarks, the Applicant argues that the combination of Birgerson (U.S. 6,138,009), (hereinafter Birgerson) and Freeny, JR. (US 20020187779 A1), (hereinafter Freeny) fails to teach the claimed limitations;

["Low Power Frequency (LPRF) connection"], see claims 1,25,26 and 42.

The Examiner disagrees with such an assertion. Birgerson mentions that different communication networks communicating with different frequencies, protocol etc. can use the same principle and same source for providing a generic telecommunication unit with customized basic software (see col. 11, line 53- col. 12, line 4); but fails to disclose "a Low Power Radio Frequency (LPRF) connection".

However, Freeny teaches a proximity system that include internet network (see [0005, 0064 0088, 0084, 0087 and 0176-79]). Freeny also mentions a proximity system AWAU that includes multiple transceivers that use different frequencies such as low power radio frequencies (see [0077-78, 0080, 0084, 0188, 0208, 0226 and Fig. 17]); whereby the low power frequencies, for example 900 Mhz or 1.8 Ghz, is being associated with "wherein the wireless connection is Low Power Radio Frequency (LPRF) connection".

Therefore, the claimed limitation "Low Power Radio Frequency (LPRF) connection" is taught by Birgerson and Freeny.

b. In the remarks, also argues that "there appears to be no suggestion to combine Freeny with Birgerson" (see Page 11 of remarks).

Birgerson mentions that different communication networks communicating with different frequencies, protocol etc. can use the same principle and same source for providing a generic telecommunication unit with customized basic software (see col. 11, line 53- col. 12, line 4).

Freeny, which is an analogous art, mentions a proximity system AWAU that includes multiple transceivers that use different frequencies such as low power radio frequencies (see [0077-78, 0080, 0084, 0188, 0208, 0226 and Fig. 17]; and legacy unit 830 might communicate with database 750 private and public communication network including the internet (see [0064 and 0087])).

Therefore, it would have been obvious to one of the ordinary skill in the art to combine the teaching of Freeny with the system of Birgeron for the benefit of achieving a proximity system that include different frequencies; and private and public networks (see Freeny, [0005, 0064, 0084 and 0087])).

The Examiner maintains that the combination of Birgeron and Freeny, from the above clarification/remarks, meets the Applicant's argued claimed limitations. Therefore the finality of the Final Office action is being maintained.

Any amendments to specifically describe Applicant's invention would require further search and re-consideration.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-T (9am - 7pm).
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8566.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/KWASI KARIKARI/
Examiner, Art Unit 2617

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Supervisory Patent Examiner, Art Unit 2617